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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT SEATTLE

8 ROBERT D. THORSON,

9                   Petitioner,

10                  v.

11 UNITED STATES OF AMERICA,

12                  Respondent.

CASE NO. C18-136 RSM

MINUTE ORDER

13                  The following Minute Order is made by direction of the Court, the Honorable Ricardo  
14 S. Martinez, United States District Judge:

15                  Petitioner has filed a second Notice to Court and Motion to Amend Under 28 U.S.C.  
16 § 2255 (“Motion to Amend”) (Dkt. #22). Petitioner’s Motion to Amend appears to lay out  
17 language he wishes to include in an amended § 2255 Motion. *Id.* Petitioner’s Motion to  
18 Amend was signed on February 18, 2019, and not received by this Court until February 28,  
19 2019. *Id.* It is again unclear to the Court whether Plaintiff received a copy of the Court’s  
20 February 14, 2019 Order Granting Motion to Lift Stay and Setting Briefing Schedule (Dkt.  
21 #19) prior to mailing this Motion to Amend. Regardless, the Court has granted Petitioner  
22 leave to amend his § 2255 Motion.

24                  **Petitioner is to file, if he so elects and within the time specified in the Court’s**  
25 **February 14, 2019 Order, an Amended Motion Under 28 U.S.C. § 2255 to Vacate, Set**  
26 **Aside, or Correct Sentence by a Person in Federal Custody. Should Petitioner file an**  
27

MINUTE ORDER

1 amended motion, any Amended Motion that Petitioner files will fully replace  
2 Petitioner's original § 2255 Motion (Dkt. #1).

3 Accordingly, the Court STRIKES Petitioner's Notice to Court and Motion to Amend  
4 Under 28 U.S.C. § 2255 (Dkt. #22) as moot.

5 A copy of this Minute Order shall be mailed to Robert D. Thorson, No. 48042-086,  
6 FCI-Sheridan, Federal Correctional Institution, P.O. Box 5000, Sheridan, OR 97378.  
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8 DATED this 1<sup>st</sup> day of March 2019.

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10 WILLIAM McCOOL, Clerk

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12 By: /s/ Paula McNabb  
13 Deputy Clerk  
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